

Untitled

May 4, 2001

Mary L. Cottrell, Secretary  
Department of Telecommunications and Energy  
One South Station  
Boston, MA 02110

RE: D. T. E. 01-43

Petition of FG&E for authorization and approval of (1) the issuance of up to 14 million of long term debt in the form of notes, (2) an exemption from provisions of M. G. L. c. 164, §15, and (3) expedited review of this transaction

Dear Secretary Cottrell:

Enclosed for filing please find an original and three copies of the Massachusetts Division of Energy Resources (DOER) Motion to Intervene in the above referenced proceeding.

Thank you for your attention in this matter. If you have any questions or need additional information please feel free to contact me at (617) 727-4732 x-132.

Sincerely,

Matthew T. Morais  
DOER Legal Counsel

Enclosures

cc: Patricia M. French, Esquire  
George B. Dean, Assistant Attorney General

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CERTIFICATE OF SERVICE

I, Matthew T. Morais, certify that I have served a copy of the DOER Motion to Intervene in D.T.E. 01-43, contained herein, on each individual on the service list in D.T.E. 01-43 on file with the Department of Telecommunications and Energy.

Dated at Boston, Massachusetts, this 4th day of May, 2001.

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Matthew T. Morais

Legal Counsel

DOER

70 Franklin Street, 7th Floor

Boston, MA 02110-1313

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

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RE: PETITION OF FG&E )

FOR AUTHORIZATION AND APPROVAL OF (1) ISSUANCE )

OF UP TO \$14 MILLION OF LONG TERM DEBT IN NOTES, ) DTE 01-43 (2) EXEMPTION FROM THE  
PROVISIONS OF MGL C. 164 § 15, )

AND (3) EXPEDITED REVIEW OF THE TRANSACTION )

MOTION OF THE MASSACHUSETTS

DIVISION OF ENERGY RESOURCES

TO INTERVENE

## Untitled

I.

The Massachusetts Division of Energy Resources (DOER) hereby moves to intervene and to be granted full party status in the above-captioned proceeding pursuant to 220 CMR § 1.03(1)(b).

II.

Fitchburg Gas and Electric Company (FG&E) filed a petition with the Department of Telecommunications and Energy (Department) for approval, pursuant to M.G.L. c. 164, § 14, to issue long term debt in the form of notes in the principal amount of up to \$ 14 million. In addition, the FG&E petition requested an exemption from the provisions of M.G.L. c. 164, § 15, and also requested expedited review of the proposed transaction. The Department issued a notice of public hearing (notice) for the FG&E petition on April 18, 2001.

The public hearing was scheduled for May 7, 2001 at 10:00 AM and the deadline to submit written comments and to intervene in the proceeding was set on May 4, 2001.

III.

DOER is an agency of the Commonwealth of Massachusetts established by M.G.L. c. 25A. DOER is charged with the responsibility to develop and administer programs related to energy conservation, alternative energy development, and non-renewable energy supply and resource development. DOER is also charged with the responsibility for advising, assisting and cooperating with other state, regional and federal agencies in developing appropriate programs and policies relating to energy planning and regulation in the Commonwealth of Massachusetts.

One of DOER's main goals in executing the agency's responsibilities is to ensure a reliable and low cost energy supply for the citizens of the Commonwealth. The costs associated with the DTE 01-43 proceeding will impact the retail price of electricity charged to citizens of the Commonwealth. Therefore, DOER is substantially and specifically affected by the proceeding in that it directly impacts one of the agency's main goals. As stated, DOER seeks to intervene and be granted full party status to be able to fully participate in the proceeding and have access to all information developed in DTE 01-43. This will enable DOER to best represent the interests of the citizens of the Commonwealth.

DOER's participation in the proceeding will help ensure that DTE's consideration of the FG&E petition will result in the most equitable financing solution for the FG&E debt, and therefore minimal cost impact to the consumer. DOER is not submitting substantive comments at this time.

IV.

If the DOER motion for intervention is allowed, service of all documents filed in this proceeding should be addressed to the following person whose name and address should be placed on the official service list compiled by the Secretary for this proceeding:

Matthew T. Morais

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Legal Counsel  
Division of Energy Resources  
70 Franklin Street, 7th Floor  
Boston, MA 02110-1313  
(617) 727-4732 x132

As described above, good cause exists for DOER to be granted leave to intervene and be granted full party status in DTE 01-43. No other party to this proceeding represents the same interests and policy goals as DOER. Therefore, granting the motion is in the public interest. WHEREFORE, DOER requests that the Department grant the Motion to Intervene in DTE 01-43.

Respectfully submitted,

MASSACHUSETTS DIVISION OF  
ENERGY RESOURCES

By: \_\_\_\_\_

Matthew T. Morais  
Legal Counsel  
Division of EnergyResources  
70 Franklin Street, 7th Floor  
Boston, MA 02110-1313

Dated: May 4, 2001